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EXAMINER

MCCOMMAS, BRENDAN N

ART UNIT

PAPER NUMBER

2625

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. **Claims 1, and 3** are rejected under 35 U.S.C. 102(e) as being anticipated by Aschenbrenner et al. (U.S. Patent Publications 2004/0190045), hereinafter referenced as Aschenbrenner.

2. **Regarding claim 1**, Aschenbrenner discloses a method for process handling of a PDF data stream which is en route to a printer, as disclosed in column 9, lines 34-39 comprising:

3. querying such a PDF data stream to detect the presence therein of a PDF image only file, as disclosed in column 10, lines 1-10 and lines 49-65,

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4. on detecting the presence of a PDF image only file in the data stream, and with respect to the date in that file, directing that data to a dedicated, PDF image-only pipeline processing path (with its own color profile as well), as disclosed in column 9, lines 34-50 and exhibited in figure 5, path 514, and for PDF files that are other than a PDF image only file performing conventional PDF handling en route to a printer, as exhibited in figure 5, path 512.

5. **Regarding claim 3**, Aschenbrenner and Matsuhara disclose everything claimed as applied above (see claim 1) In addition claim 3 is interpreted and rejected for the reasons set forth in the rejection of claim 1. Claim 1 describes a method, and claim 3 describes an apparatus for implementing the method. Thus claim 3 is rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. **Claims 2 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Aschenbrenner et al. (U.S. Patent Publications 2004/0190045), hereinafter referenced as Aschenbrenner, Further in view of Matsuhara et al (US Published Application 2004/0190045).

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5. **Regarding claim 2**, Aschenbrenner discloses everything claimed as applied above (see claim 1). However Aschenbrenner fails to explicitly disclose the method wherein the directing includes specifically directing a detected image-only block of PDF data to a path which includes processing steps involving image decoding and downstream from image decoding, rendering for printing. However it would have been obvious to one of ordinary skill in the art at the time of the invention to include this feature in the invention of Aschenbrenner, as taught by Matsuhara. In a similar field of endeavor, Matsuhara discloses an image processing apparatus and data processing apparatus. In addition Matsuhara discloses the method wherein the directing includes specifically directing a detected image-only block of PDF data to a path which includes processing steps involving image decoding [0041] and downstream from image decoding, rendering for printing, as disclosed in [0038] and exhibited in figures 8 and 9. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include such modifications to the invention of Aschenbrenner, for the purpose of allowing the user to more easily enact a plurality of processing on the image data stream, as disclosed in Matsuhara, [0013].

7. **Regarding claim 4**, Aschenbrenner and Matsuhara disclose everything claimed as applied above (see claim 3). In addition claim 4 is interpreted and rejected for the reasons set forth in the rejection of claim 2. Claim 2 describes a method, and claim 4 describes an apparatus which implements the method. Thus claim 4 is rejected.

Response to Arguments

22. Applicant's arguments filed 09/03/2008 have been fully considered but they are

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Considered moot on the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **BRENDAN MCCOMMAS** whose telephone number is (571)270-3575. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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